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LETTER DATED 25 MARCH 1999 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to convey the attached communication, dated 23 March 1999, which I have received from the Secretary-General of the North Atlantic Treaty Organization (NATO). The enclosed report is submitted pursuant to requirements set by the Security Council in resolution 1203 (1998) of 24 October 1998, and in compliance with the Council's wish to be kept informed on the situation in Kosovo.

I should appreciate your bringing this communication from the Secretary-General of NATO to the attention of the members of the Security Council.

(Signed) Kofi A. ANNAN

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Annex

Letter dated 23 March 1999 from the Secretary-General of the North Atlantic Treaty Organization addressed to the Secretary-General

I am writing to provide you with a further report on compliance by the parties to the conflict in Kosovo with Security Council resolutions 1199 (1998) of 23 September 1998 and 1203 (1998) of 24 October 1998 and by the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) with commitments provided to NATO on 25 October 1998.

The situation has recently deteriorated significantly. The requirements of the United Nations for a ceasefire are being disregarded by both sides and President Milosevic is flouting last October's undertakings to NATO to reduce and redeploy his forces in Kosovo. Following the withdrawal of the Kosovo Verification Mission of the Organization for Security and Cooperation in Europe (OSCE) on 20 March, the Federal Republic of Yugoslavia has increased its military activities and is using excessive and wholly disproportionate force, thereby creating a further humanitarian catastrophe. I am writing to you separately about the next steps in dealing with this deepening crisis but in the meantime I attach for your information and distribution as you deem appropriate a detailed update of significant trends and incidents since my last report to you, of 22 January 1999.

I am sending a copy of this letter to the Chairman-in-Office of OSCE.

(Signed) Javier SOLANA

## Enclosure

## North Atlantic Treaty Organization compliance report for Kosovo

## 16 January-22 March 1999

Table 1*

United Nations Security Council resolution 1199 (1998)

| Resolution tenet | | Related activity |
|---|---|---|
| 1. Federal Republic of Yugoslavia and Albanian-Kosovar insurgents: cease hostilities and maintain ceasefire | 16-23 Jan.: | MUP/VJ continue security operations in Decane and Stimlje areas. |
| | | UCK fire on MUP investigative team in Racak. |
| | 24-30 Jan.: | UCK attacks MUP element in vicinity of Bistrazin. One MUP policeman is wounded, two UCK are killed. |
| | | UCK attacks a MUP police station near Rogovo; one MUP officer is killed. MUP respond in a security operation that leaves 24 Kosovo-Albanians dead. |
| | | VJ respond with tank fire to UCK attempt to seize VJ bulldozer. |
| | | UCK kills two MUP policemen in Gornji Streoc. |
| | 31 Jan.-6 Feb.: | VJ/MUP shelling in Podujevo against civilian targets. |
| | 7-14 Feb.: | VJ/MUP forces fire on the village of Lapastica, near Podujevo. |
| | | UCK conducts harassing attacks against VJ positions near Dulje and Gornja Lapastica. No injuries reported. |
| | 15-22 Feb.: | UCK opens fire on a MUP patrol in the vicinity of Lapusnik and attack a police station in Orahovac. |
| | | VJ forces in the vicinity of Luzane open fire on targets in the direction of the village of Godisnjak. Targets include a mosque. |
| | | VJ shell Studecane, causing thousands of civilians to leave the area for safety. |

| Resolution tenet | | Related activity |
|---|---|---|
| | 23 Feb.-<br>1 Mar.: | VJ/MUP forces deployed to the area around Bukos for live-fire "exercises" engaged UCK forces with automatic weapons and tank fire. MUP and Serbian civilians are trapped in a house in Bukos as UCK forces fired on them. Five MUP are injured in the siege.<br><br>VJ forces reinforced with MUP and supported by two tanks and an unspecified quantity of mortars launch an attack against UCK positions near Vucitrn. Sporadic fighting continues in this area through 27 February.<br><br>UCK and MUP clash in Randubava leaves two Kosovar Albanian civilians dead.<br><br>UCK ambushes a MUP patrol in Krivovo leaving one MUP policeman dead and another seriously wounded.<br><br>UCK ambush near village of Gajare, outside Kacanik, leaves one Serbian policeman killed and four wounded. |
| | 2-8 Mar.: | Combined VJ/MUP security operations continue in the Federal Republic of Yugoslavia-former Yugoslav Republic of Macedonia border area for the entire week. Force activity is most notable in the Kacanik area, where villages inhabited by civilians are shelled. Serb force activity causes a large number of civilians to leave their homes.<br><br>VJ live-fire "exercises" continue in the Bukos area. UCK retaliate with mortar attacks against some VJ positions.<br><br>UCK attack a MUP convoy near Vrsevec (Vucitrn area). Eleven MUP are injured.<br><br>UCK attack a MUP convoy along the Pristina-Pec highway.<br><br>VJ forces fire on the village of Gjurica with at least 10 tanks.<br><br>Combined VJ/MUP security operations targeted against known and suspected UCK strongholds begin in the Kovoska Mitrovica area.<br><br>Combined VJ/MUP security operations begin in the Vucitrn and Malisevo-Orahovac areas. By the end of the week, these operations extend to the area south-west of Prizren.<br><br>UCK attack a MUP patrol near Zur. |
| | 9-16 Mar.: | Combined VJ/MUP sweep operations continue through the week near Vucitrn, Malisevo-Orahovac, Dus, the Cicavica Mountains and the Federal Republic of Yugoslavia-former Yugoslav Republic of Macedonia border. |

| Resolution tenet | | Related activity |
|---|---|---|
| | | UCK attack MUP patrol in Zur; MUP and UCK clashes follow. |
| | | VJ employ artillery and tank fire against UCK positions near Streoce, Mijalic, Drvare and Osilane. |
| | | UCK conduct attacks against Serb police stations and VJ convoys. |
| | 17-22 Mar.: | VJ forces attacked UCK-held areas in the Shale and Llap UCK sub-zones, as well as UCK positions in the Podujevo areas. |
| | | VJ units near the village of Glogovac fire on UCK fighters and their positions with artillery. |
| | | Concurrent with the cessation of negotiations in Paris and the subsequent departure of OSCE/KVM from Kosovo, VJ and MUP intensify military operations in central and north-central Kosovo, supported by tanks and heavy artillery. In the course of this broadened operation, several Albanian villages are reported under heavy destructive fire and the inhabitants are fleeing. |
| 2. Federal Republic of Yugoslavia: Take steps to improve humanitarian situation. | | There are few examples of overt evidence that the federal government of the Federal Republic of Yugoslavia is actively participating in actions to improve the humanitarian situation. |
| 3. Federal Republic of Yugoslavia and Albanian-Kosovars: Enter into dialogue, with international involvement, to end crisis. | | On 19 March the Kosovar Albanians sign the Interim Peace Agreement. Federal Republic of Yugoslavia authorities refuse to do so. |
| 4. Federal Republic of Yugoslavia: Cease all action by security forces affecting the civilian population and order the withdrawal of security units used for civilian repression. | 31 Jan.-6 Feb.: | VJ forces harass inhabitants of the village of Djeneral Jankovic. |
| | 7-14 Feb.: | MUP harass civilians attending funeral services for 9 of the 24 killed in Rogovo. |
| | | MUP forces harass the inhabitants of Gusica. |
| | | MUP forces forcibly occupy civilian homes in the village of Poniq. |
| | | VJ operation in the Lapusnik area results in 50 villagers fleeing their homes. |
| | 15-22 Feb.: | Thousands of civilians depart the Studecane area as a result of VJ/MUP shelling. |
| | | Army reserve personnel are observed emplacing mines on a major bridge leading from the former Yugoslav Republic of Macedonia into Kosovo. KVM confirms the bridge is prepared for demolition. |
| | | VJ emplaces obstacles along the south-west border between Kosovo and Albania. |

| Resolution tenet | | Related activity |
|---|---|---|
| | 23 Feb.-<br>1 Mar.: | VJ inflicts heavy shelling and tank fire on Pustenik. |
| | | KVM reports approximately 2,000 civilians from the Pustenik area attempt to cross border into the former Yugoslav Republic of Macedonia but are prevented by border guards. |
| | 2-14 Mar.: | Aggressive Serb attacks on villages suspected of harbouring UCK forces or command centres. |
| | 17-22 Mar.: | The ongoing Serb security force sweep operations continue to drive civilians from their homes. |
| | | Serb Security Forces revert to the previous practice of destroying homes and villages in UCK areas by direct weapons fire, deliberate burning or demolition. |
| 5. Federal Republic of Yugoslavia: Enable effective and continuous international monitoring, by the European Community Monitoring Mission and diplomatic missions including access and complete freedom of movement. | 1-20 Feb.: | VJ deny KVM access to villages of Zjum, Planeza, Kiselja Banja, Ponosevac, Donje Ljupce and Sukovac. |
| | | MUP and VJ forces deny KVM patrol access to the Pristina airfield. |
| | | MUP stop a KVM convoy as it tries to enter Prizren. |
| | | Four OSCE vehicles are stopped by border police and denied entry into Kosovo from the former Yugoslav Republic of Macedonia. |
| | | KVM patrol is denied access by the VJ to the five kilometre border security zone north-west of Kusnin. |
| | | KVM patrol is stopped and held at gunpoint by VJ at Donja Kusce. |
| | | Four VJ soldiers enter a KVM field office in Zur and instruct the verifiers to leave the office by the end of the day. KVM verifiers remain in place. |
| | | A Serb demonstration comprised of at least 150 Serb civilians occurs at the KVM field office in Laposavic. |
| | | VJ forces prohibit two KVM vehicles from following a convoy. |
| | | KVM verifiers prohibited from departing Prizren at gun point. When verifiers attempt to follow a VJ convoy through Prizren, they are forced from their vehicle at gun point and personally searched. |

| Resolution tenet | | Related activity |
|---|---|---|
| | | Two KVM members are stopped by VJ forces south of Gniljane. The verifiers are forced out of their vehicles and ordered to surrender their maps. A VJ liaison officer arrives on the scene and the verifiers are released. |
| | 23 Feb.-1 Mar.: | KVM patrol is prevented from patrolling around Firza by VJ. |
| | | On 25 Feb. eight OSCE vehicles and 21 KVM employees are forcibly detained by customs officials of the Federal Republic of Yugoslavia at Djeneral Jankovic border crossing. Contingent allowed to proceed to Pristina late on 26 February after vehicles are forcibly searched. |
| | 2-8 Mar.: | Federal Republic of Yugoslavia authorities continue to interfere with KVM attempts to cross the border at the Djeneral Jankovic crossing site on the former Yugoslav Republic of Macedonia border. Federal Republic of Yugoslavia interference also occurs at the border crossing south of Gnjilane. Federal Republic of Yugoslavia turns back KVM verifiers because they refused to submit to vehicle searches. Other KVM verifiers agree to searches in order to be allowed into or out of Kosovo. |
| | 9-16 Mar.: | In addition to increased incidents of restricted freedom of movement, OSCE and NGO personnel are threatened and in some cases assaulted by official personnel of the Federal Republic of Yugoslavia and by civilian antagonists. The trend of harassment coincides with increased VJ and MUP security operations. |
| | 17-22 Mar.: | [KVM withdraws on 20 March.] |
| 6. Federal Republic of Yugoslavia: Facilitate with UNHCR and ICRC safe return of refugees and internally displaced persons to their homes | | There is no overt example of Federal Republic of Yugoslavia cooperation with UNHCR to assist in the safe return of refugees and internally displaced persons. |
| 7. Federal Republic of Yugoslavia and Kosovar Albanians: Clear a timetable aimed confidence-building measures and political solutions. | | Nothing to report. |
| 8. Federal Republic of Yugoslavia: Cooperate with the International Tribunal for the Former Yugoslavia for possible violations. | | The Federal Republic of Yugoslavia continues to deny the International Tribunal for the Former Yugoslavia access to its territory. |

| Resolution tenet | Related activity |
|---|---|
| 9. Federal Republic of Yugoslavia: Bring to justice security force members involved in mistreatment of civilians and the deliberate destruction of property. | There is no indication that the Government of the Federal Republic of Yugoslavia has assisted in this effort. |
| 10. Kosovo Albanian leadership: Condemn all terrorist activity. | There has been no public declaration by either political or military leadership to denounce alleged UCK acts of terrorism in the reporting period. |

* KVM = Kosovo Verification Mission;

MUP = Special Police;

UCK = Kosovo Liberation Army;

VJ = Yugoslav Army.

Table 2*

Modalities for Kosovo Federal Republic of Yugoslavia security force reductions and operations agreed by the North Atlantic Treaty Organization and the Federal Republic of Yugoslavia on 25 October 1998

| | Modality | Actions by the Federal Republic of Yugoslavia |
|---|---|---|
| 1. | Special Police units deployed to Kosovo after February 1998 will be withdrawn from Kosovo. Combined police/special police strength in Kosovo will be reduced to their February 1998 duty level. | MUP force numbers in Kosovo are now assessed to be approximately 2,500 to 3,500 personnel above the agreed limit of 10,021. |
| 2. | Any additional (that is, brought in or transferred after February 1998) heavy weapons (12.7 mm and above) or equipment brought into Kosovo or transferred from the VJ to the police/special police will be withdrawn from Kosovo or returned to the VJ. | MUP possesses and continues to employ heavy weaponry in Kosovo. |
| 3. | Police/special police will resume their normal peacetime activities. Heavy weapons and equipment remaining under MUP control in Kosovo will be returned to cantonments and police stations. | Excessive traffic patrolling, fortification of observation posts and unauthorized checkpoints continue.<br><br>MUP continue to conduct road security patrols in their areas of control and to operate unauthorized checkpoints with no regard to the prohibition to do so. |
| 4. | All VJ units and additional equipment brought into Kosovo after February 1998 will be withdrawn from Kosovo. | VJ forces in Kosovo have been reinforced and now number about 3,500-5,000 personnel above the authorized strength of approximately 11,300. |
| 5. | Except for those VJ currently augmenting border guards, all VJ elements remaining in Kosovo will return to garrison except for three company-sized teams which will remain deployed, each to protect the lines of communications. | Estimates now indicate that 5,000-5,500 Pristina 52nd Corps personnel are deployed out of garrison in Kosovo. These forces remain concentrated in the north near Podujevo, near Vucitrn and Orahovac in central Kosovo and near Kacanik in the southern border region.<br><br>As of 16 March, VJ tanks from units in Serbia and Montenegro have been transported into Kosovo, via rail, possibly to reinforce battle groups in Kosovska Mitrovica and Podujevo. |
| 6. | VJ border guards will remain in position along the international border of the Federal Republic of Yugoslavia and conduct ongoing border security operations. | 9-16 Mar. VJ forces augment border guard battalions. The amount of equipment and personnel deployed into the border area near Kacanik probably amounts to two company-sized elements. |
| 7. | The withdrawals and deployments described above will be completed by 1200 hours, 27 October 1998, except for the three company-sized teams in paragraph 5 above. | See entry 5 above. |

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| Modality | Actions by the Federal Republic of Yugoslavia |
|---|---|
| 8. In order to ensure verification of these provisions, VJ and MUP commanders will provide to the Kosovo Diplomatic Observer Mission/OSCE detailed weekly reports of manning, weapons, and activities of their forces, and will provide immediate notification to the Kosovo Diplomatic Observer Mission/OSCE of any deployment contrary to these provisions and will explain the circumstances regarding such deployments. | Reporting has been inaccurate and misleading. VJ and MUP units have failed to account for equipment and personnel numbers and activities. VJ officials fail to notify OSCE of intention to conduct military training in Kosovo. This information was only offered in explanation after VJ forces were observed conducting activities claimed to be live-fire exercises in the vicinity of occupied villages. |
| 9. All checkpoints will be dismantled. | MUP continue to maintain and build unauthorized checkpoints throughout Kosovo. |
| 10. In case of incidents of increased tension, the police will have the right upon notifying the Kosovo Diplomatic Observer Mission/OSCE, to perform patrol duties in armoured vehicles. | See entry 8 above. Notification is usually not timely and does not seek permission or approval, but is relayed as a declaration of actions already committed. |
| 11. The police will withdraw its stationary forces from: Dragobilje, Oztrozub, Opterusa, Dobrodeljane, Studencani, Samordraza, Decane and Klecka. Police forces may remain in Malisevo, Orahovac, Zociste, Restane, Suva Reka and Dulje. The police will use the road Orahovac-Suva Reka-Dulje-Malisevo. The police will not move along the Malisevo-Orahovac road beginning on 25 Oct. -- this road must fully open for free traffic flow. | Continued reports of heavy MUP presence in and around Podujevo, Stimlje, Racak, Decane and Malisevo persist. Malisevo is an approved police location, but Albanians complain MUP presence there is menacing and that it has inhibited the return of some internally displaced persons. |

* KVM = Kosovo Verification Mission;

MUP = Special Police;

UCK = Kosovo Liberation Army;

VJ = Yugoslav Army.

Table 3*

United Nations Security Council resolution 1203 (1998)

| Resolution tenet | Related activity |
|---|---|
| 1. Federal Republic of Yugoslavia: Cooperate fully with the OSCE Verification Mission and Air Verification Mission. | On 18 March, KVM observers sight an air defence radar at Prizren airfield normally associated with surface to air missiles. This represents a violation of the air verification agreement. |
| 2. Federal Republic of Yugoslavia: Comply immediately with Security Council resolutions 1160 (1998) and 1199 (1998). | Currently, Federal Republic of Yugoslavia security forces are not fully in compliance with resolutions 1160 (1998) and 1199 (1998). |
| 3. Federal Republic of Yugoslavia and Kosovar Albanians: Enter immediately into meaningful dialogue without preconditions and with international involvement ... leading to an end to the crisis. | On 19 March, the Kosovar Albanian Delegation signs the Interim Peace Agreement. Federal Republic of Yugoslavia authorities refuse to do so. |
| 4. Federal Republic of Yugoslavia and Kosovar Albanians: Respect freedom of movement of OSCE Verification Mission and other international personnel. | Both KVM and UNHCR report increased movement control by both Federal Republic of Yugoslavia and UCK forces. The overwhelming majority are committed by VJ forces - in some instances at gunpoint. |
| 5. Federal Republic of Yugoslavia: Ensure the safety and security of all diplomatic personnel to include OSCE Verification Mission, all international and NGO humanitarian personnel. | Against the background of Federal Republic of Yugoslavia refusal to negotiate an interim peace agreement, and an increasingly hostile environment on the ground in Kosovo, the OSCE withdraws its verification mission on 20 March. |
| 6. Federal Republic of Yugoslavia and Kosovar Albanians: Ensure personnel (see entry 5 above) are not subject to the threat or use of force or interference of any kind. | See entry 5 above. |
| 7. Federal Republic of Yugoslavia and Kosovar Albanians: Cooperate with international efforts to improve the humanitarian situation and avert pending humanitarian crisis. | Nothing to report. |
| 8. Federal Republic of Yugoslavia: Create the conditions that allow internally displaced persons to return home. | The overall security environment for civilians remained unchanged. The ongoing Federal Republic of Yugoslavia security force sweep operations continue to drive civilians from their homes.<br><br>Federal Republic of Yugoslavia security forces revert to their previous practice of destroying homes and villages in UCK areas by direct weapons fire, deliberate burning or demolition. |

| Resolution tenet | Related activity |
|---|---|
| | Approximately 100,000 internally displaced persons have been generated since fighting between Serb security forces and UCK began in late December 1998. Many of these individuals, however, have returned to find their homes destroyed and are most likely residing with neighbours, friends or relatives. Given the level of Serb security force operations over the last week, the rate of displacement has increased sharply. As many as 20,000 internally displaced persons may have been generated by VJ/MUP operations against the UCK between 15 and 19 March. Fighting on 20 March reportedly generated 4,000 internally displaced persons in the Podujevo region and another 5,000-10,000 in the Srbica-Glogovac region. |
| 9 Federal Republic of Yugoslavia: Conduct prompt and complete investigations of all atrocities committed against civilians through the Hague-based United Nations International Tribunal on the Former Yugoslavia. | Nothing to report. |

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MUP = Special Police;

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VJ = Yugoslav Army